

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

DARIUS FIELDS (01)

No. 3:17-CR-388-M
ECF

**GOVERNMENT'S NOTICE OF INTENT TO OFFER
EVIDENCE PURSUANT TO FED. R. EVID. 902(14)**

The United States of America ("the government") hereby notifies Darius Fields, the defendant, of its intention to offer evidence under Fed. R. Evid. 902(14) during its case-in-chief. The Federal Rules of Evidence provide:

The following items of evidence are self-authenticating; they require no extrinsic evidence of authenticity in order to be admitted:

. . . .

(14) Certified Data Copied from an Electronic Device, Storage Medium, or File. Data copied from an electronic device, storage medium, or file, if authenticated by a process of digital identification, as shown by a certification of a qualified person that that complies with the certification requirements of Rule 902(11) or (12). The proponent also must meet the notice requirements of Rule 902(11).

Fed. R. Evid. 902(14).

The following is the self-authenticating exhibits that the government intends to offer during its case-in-chief:

DESCRIPTION
1. Certification from Anthony Lehman certifying that the data (Government Exhibit 86) was extracted/copied from an electronic device, to wit: an Apple iPhone 6s Plus, A1633, IMEI 353257078072880, cellular telephone (Government Exhibit 85). This certification will be part of Government Exhibit 86 .
2. Certification from Curtis Thomas certifying that the data (Government Exhibit 88) was extracted/copied from an electronic device, to wit: an Apple iPhone 6 Plus, A1549, IMEI: 352015074374044, cellular telephone (Government Exhibit 87). This certification will be part of Government Exhibit 88 .

These exhibits have been either previously provided to the defense or they are currently available for inspection and copying at the United States Attorney's Office. These exhibits have an accompanying certification complying with the requirements of Fed. R. Evid. 902(11). The government has previously told the defense about these certifications and the defense has stated that they have no objection to their admission and to the admission of the evidence that they certify.

[NO FURTHER INFORMATION ON THIS PAGE]

Respectfully submitted,

ERIN NEALY COX
UNITED STATES ATTORNEY

s/ Gary C. Tromblay

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CERTIFICATE OF SERVICE

I hereby certify that on **April 8, 2018**, I electronically filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney(s) of record who have consented in writing to accept this Notice as service of this document by electronic means: **Bruce Anton** and **Joseph Mongaras**.

s/ Gary C. Tromblay

GARY C. TROMBLAY
Assistant United States Attorney